

STAND. COM. REP. NO.

835

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1705  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1705, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to improve the management of the Molokai irrigation system.

More specifically, the bill changes the Molokai Irrigation System Advisory Board to a governing board, increases the number of members on the board, permits nomination of members from Molokai homestead stakeholder organizations, and establishes the Molokai irrigation special fund for maintenance of the irrigation system.

The County Council of Maui and a concerned individual submitted comments in support of the bill. The Board of Agriculture submitted comments in opposition to the bill. The Office of Information Practices and the Office of Hawaiian Affairs submitted comments on the bill.

Your Committee finds that currently the Molokai Irrigation System Advisory Board is too dependent on the Department of Agriculture and cannot make independent decisions about matters it is most qualified to render.



Your Committee further finds that this bill will provide a concrete remedy that will permit the board to address all measures necessary to maintain the functionality of the pivotal Molokai irrigation system.

The Committee amended the bill to:

- (1) Clarify sunshine law requirements regarding board meetings;
- (2) Change the effective date of the Act to July 1, 2050 to facilitate further discussion of the bill including the concerns raised by the Office of Hawaiian Affairs with respect to the autonomy of the board and whether there should be some transition built into the process before the advisory board achieves complete independence from the Department of the Agriculture; and
- (3) Make technical, nonsubstantive changes for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1705, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1705, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,




ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1705 SD1	WAH, WAM	2-23-07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
WHALEN, Paul	/			
<b>TOTAL</b>	10	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

\*Only one measure per Record of Votes